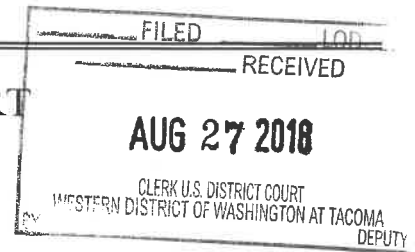


**UNITED STATES DISTRICT COURT**  
for the  
Western District of Washington



In the Matter of the Search of  
(Briefly describe the property to be searched  
or identify the person by name and address)

Six cellular phones, more particularly described in  
Attachment A

Case No.

*MJ18-5201*

**APPLICATION FOR A SEARCH WARRANT**

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

See Attachment A, attached hereto and incorporated by reference herein.

located in the Western District of Washington, there is now concealed (identify the person or describe the property to be seized):

See Attachment B, attached hereto and incorporated by reference herein.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
- ☒ contraband, fruits of crime, or other items illegally possessed;
- ☒ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

<i>Code Section</i>	<i>Offense Description</i>
21 USC 841(a), 846	conspiracy to distribute controlled substances, distribution, and possession with intent to distribute controlled substances

The application is based on these facts:

See Affidavit of DEA Special Agent Steven Meyer, attached hereto and incorporated by reference herein.

☐ Continued on the attached sheet.

☒ Delayed notice of 90 days (give exact ending date if more than 30 days: 11/25/2018) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

*Applicant's signature*

Steven Meyer, Special Agent

*Printed name and title*

Sworn to before me and signed in my presence.

Date:

*8/27/2018*

*Judge's signature*

City and state: Tacoma, Washington

David W. Christel, United States Magistrate Judge

*Printed name and title*

**USAO 2018R00760**

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I, Steven Meyer, Special Agent, Drug Enforcement Administration, United States Department of Justice, being first duly sworn on oath, depose and state:

## 8

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UNITED STATES ATTORNEY  
1201 PACIFIC AVENUE, SUITE 700  
TACOMA, WASHINGTON 98402  
(253) 428-3800

1 unlawful importation, possession with intent to distribute, and distribution of controlled  
2 substances; the related laundering of monetary instruments; the conducting of monetary  
3 transactions involving the proceeds of specified unlawful activities; and conspiracies  
4 associated with criminal narcotics offenses. These investigations have included use of  
5 the following investigative techniques: confidential informants; undercover agents;  
6 analysis of pen register, trap and trace, and toll records; physical and electronic  
7 surveillance; wiretaps; and the execution of search warrants. I have had the opportunity  
8 to monitor, listen to, review transcripts and line sheets (prepared by linguists)  
9 documenting the content of intercepted conversations involving the trafficking of  
10 cocaine, heroin, methamphetamine, and other narcotics, by persons who used some form  
11 of code to thwart law enforcement. I have also interviewed defendants at the time of  
12 their arrests and have debriefed, spoken with, or interviewed numerous drug dealers or  
13 confidential sources (informants) at proffer interviews who were experienced in speaking  
14 in coded conversations over the telephone. I have gained knowledge regarding the  
15 various methods, techniques, codes, and/or jargon used by drug traffickers in the course  
16 of their criminal activities, including their use of cellular telephones and other electronic  
17 devices to facilitate communications while avoiding law enforcement scrutiny.

18 4. I have participated in the investigation described herein since April 2018. I  
19 have obtained the facts set forth in this Affidavit through personal participation in the  
20 investigation described below, from the review of consensually recorded calls to date,  
21 from oral and written reports of other law enforcement officers, from records, documents  
22 and other evidence obtained during this investigation, and from confidential sources who  
23 are associated with, and have knowledge about the subjects of this investigation and their  
24 confederates. I have obtained and read official reports prepared by various law  
25 enforcement officers in other related investigations by other agencies. Since I am  
26 submitting this Affidavit for the limited purpose of obtaining authorization to search the  
27 cellular phones described herein, I have not included every fact known concerning this

1 investigation. I have set forth only the facts that I believe are essential to establish the  
2 necessary foundation for the issuance of such warrants.

3 **PURPOSE OF AFFIDAVIT**

4 5. This Affidavit is submitted in support of an application to search the  
5 cellular phones described below and in Attachment A, for evidence, fruits and  
6 instrumentalities of violations of Title 21, United States Code, Sections 841 and 846  
7 (drug distribution, possession with intent to distribute, and conspiracy), as described in  
8 this Affidavit and in Attachment B. Since the seizure of these devices on August 17, 18,  
9 and 22, 2018, they have remained in the secure custody of law enforcement:

- 10 a) A black Apple iPhone 10, seized from Jackson SUTER at 200 Moe Street  
11 NE, Poulsbo, Washington, on August 17, 2018 (referred to herein as  
12 SUBJECT DEVICE 1);
- 13 b) A white and gray Samsung Galaxy S8, seized from Apartment 36 in the  
14 Hillsider 50 Apartment Complex at 19630 Ash Crest Loop NE, Poulsbo,  
15 Washington, on August 18, 2018 (referred to herein as SUBJECT  
16 DEVICE 2);
- 17 c) A black Verizon Cosmos 2, seized from Apartment 36 in the Hillsider 50  
18 Apartment Complex at 19630 Ash Crest Loop NE, Poulsbo, Washington,  
19 on August 22, 2018 (referred to herein as SUBJECT DEVICE 3);
- 20 d) A black iPhone 8 Plus, seized from Apartment 36 in the Hillsider 50  
21 Apartment Complex at 19630 Ash Crest Loop NE, Poulsbo, Washington,  
22 on August 22, 2018 (referred to herein as SUBJECT DEVICE 4);
- 23 e) A white and gray iPhone 6 Plus, seized from Apartment 36 in the  
24 Hillsider 50 Apartment Complex at 19630 Ash Crest Loop NE, Poulsbo,  
25 Washington, on August 18, 2018 (referred to herein as SUBJECT  
26 DEVICE 5); and
- 27

1 f) A black and gray iPhone 6 Plus, seized from Apartment 36 in the  
2 Hillside 50 Apartment Complex at 19630 Ash Crest Loop NE, Poulsbo,  
3 Washington, on August 18, 2018 (referred to herein as SUBJECT  
4 DEVICE 6).

5 6. The information set forth in this Affidavit consists of information I have  
6 gathered and observed firsthand through the course of this investigation to date, as well  
7 as information relayed to me by other law enforcement personnel, including officers from  
8 the Poulsbo Police Department. I have set forth only the facts that I believe are essential  
9 to establish the necessary foundation for the issuance of the search warrants for the  
10 above-referenced Subject Devices.

11 **CONFIDENTIAL SOURCES**

12 7. Confidential Source 1 (CS1) is cooperating with the DEA and the West  
13 Sound Narcotics Enforcement Team (WestNET) to investigate Jackson SUTER's cocaine  
14 distribution organization, as explained in more detail below. CS1 has no felony  
15 convictions, and has one gross misdemeanor conviction for Assault in 2014. CS1 is  
16 working with the DEA and WestNET in exchange for financial consideration. CS1 has  
17 assisted members of WestNET in previous investigations and WestNET found his/her  
18 information to be consistently truthful and reliable during those investigations.

19 **SUMMARY OF PROBABLE CAUSE**

20 8. Over the course of approximately the past five months, DEA agents and  
21 WestNET detectives have been investigating Jackson SUTER's cocaine distribution  
22 organization. SUTER and his associates are known to distribute cocaine at bars and  
23 nightclubs in/around Poulsbo and Bremerton, Washington. Based on information  
24 gathered through my and other law enforcement officers' interviews, we believe that  
25 SUTER can acquire kilogram-quantities of cocaine, and keeps large amounts of cash on  
26 hand. CS1 informed investigators that SUTER uses multiple distributors in the operation,  
27 to include Michael LENTZ and Alex BULLARD.

1 ***Controlled Purchase #1***

2 9. On April 16, 2018, agents arranged a controlled purchase of cocaine from  
3 SUTER, utilizing CS1. While in the presence of agents, CS1 spoke to SUTER to confirm  
4 the time and location of the deal. During the conversation, SUTER informed CS1 that  
5 Michael LENTZ would complete the deal, and it would take place at the Central Market  
6 at 20148 10th Avenue NE, Poulsbo, Washington. CS1 met with LENTZ at the Central  
7 Market and successfully purchased the cocaine. Investigators searched CS1 and his/her  
8 vehicle before and after the purchase, and found no contraband items. Special Agent  
9 Jeremy Tan field-tested the drugs, as witnessed by me, and they tested positive for  
10 cocaine.

11 10. Surveillance units confirmed that, prior to the deal, LENTZ traveled from  
12 his residence at 21117 Norby Drive, Poulsbo, Washington, to SUTER's house at 21482  
13 Big Valley Road, Poulsbo, Washington, then to the Central Market. Following the deal,  
14 LENTZ drove directly back to SUTER's residence.

15 ***Controlled Purchase #2***

16 11. On May 3, 2018, agents arranged a controlled purchase of 2 ounces of  
17 cocaine from SUTER for \$2,800, again utilizing CS1. While in the presence of agents,  
18 CS1 confirmed with SUTER the time and location of the deal, which again would be the  
19 Central Market. CS1 met with SUTER at the Central Market, and successfully purchased  
20 the cocaine. Special Agent Tan field-tested the drugs, as witnessed by me, and they tested  
21 positive for cocaine. Investigators searched CS1 and his/her vehicle before and after the  
22 purchase, and found no contraband items. During the post-buy debrief of CS1, he/she  
23 informed agents that SUTER was no longer living at 21482 Big Valley Road, Poulsbo,  
24 Washington, and was now at the Hillside 50 Apartment Complex, sharing Apartment 36  
25 with Ben McMULLEN.

26 //

27 //

1 ***Identification of SUTER's Supplier***

2 12. On June 14, 2018, agents attempted to conduct another controlled purchase  
3 from SUTER, for 2 ounces of cocaine, utilizing CS1. However, prior to the deal, SUTER  
4 contacted CS1 and asked if he/she could drive him (SUTER) to Tacoma in order to  
5 resupply. Agents directed CS1 to accept SUTER's offer and drive him to meet the  
6 supplier. At approximately 8:25 p.m., SUTER confirmed he was ready to go, and told  
7 CS1 to come and pick him up. Prior to CS1's departure, agents searched CS1 and his/her  
8 vehicle for contraband, with nothing found.

9 13. At approximately 8:30 p.m., surveillance units observed SUTER leave his  
10 apartment, with a zipped up backpack, and enter CS1's vehicle. Surveillance units  
11 followed CS1, with SUTER, from the apartment to the Emerald Queen Casino at 2024  
12 East 29th Street, Tacoma, Washington, and then to the Walmart at 20307 Mountain  
13 Highway East, Spanaway, Washington. SUTER informed CS1 that the supplier had  
14 changed the location to Walmart to save time. SUTER described the supplier as being  
15 older, likely parked in a handicapped space at the Walmart.

16 14. At approximately 10:20 p.m., agents observed SUTER exit CS1's vehicle,  
17 with the zipped up backpack, and walk towards the Walmart. DEA Task Force Officer  
18 (TFO) Eric Jansen observed SUTER approach a large Polynesian-looking individual and  
19 begin to speak with him. Resident Agent in Charge (RAC) Ian McKenzie, on foot at the  
20 Walmart, described the individual as having a full beard, two tattoos on his neck, and  
21 using an electric wheel chair. SUTER and the unidentified Polynesian male moved to a  
22 gray Dodge Charger (TV1), bearing Washington license AXM0809, parked in a  
23 handicapped parking spot. The Washington Department of Licensing (DOL) indicates  
24 the registered owner of the vehicle is Jonathan MOANALE at 20112 14th Avenue Court  
25 East, Spanaway, Washington. RAC McKenzie confirmed the DOL photo of MOANALE  
26 matched the individual who met with SUTER. RAC McKenzie observed SUTER walk  
27 back to CS1's vehicle with the backpack unzipped.

1           15.     SUTER informed CS1 that he had made the money drop, but that the  
2 supplier (MOANALE) did not have the cocaine. However, he (MOANALE) had  
3 promised to deliver it to SUTER the next day, June 15, 2018. CS1 and SUTER agreed to  
4 complete their deal for the 2 ounces of cocaine after SUTER had been resupplied.

5           16.     At approximately 10:45 p.m., TFO Jansen observed TV1 parked at 20112  
6 14th Avenue Court East, Spanaway, Washington.

7           17.     On June 15, 2018, at around 8:30 p.m., CS1 contacted agents to say  
8 SUTER was ready to do the deal. He/she believed SUTER had met the supplier  
9 (MOANALE) sometime in the late afternoon or early evening.

10 ***Controlled Purchase #3***

11           18.     On June 19, 2018, agents directed CS1 to contact SUTER and make the  
12 controlled purchase originally planned for June 14, 2018. While in the presence of  
13 agents, CS1 confirmed the deal would take place at the Hillsider 50 Apartment Complex,  
14 Apartment 36, at approximately 8:00 p.m. Agents provided CS1 with \$2,800 in buy  
15 money to purchase the drugs. CS1 met with SUTER at the apartment, and successfully  
16 purchased one ounce of cocaine for \$1,300. Special Agent Tan field-tested the drugs, as  
17 witnessed by me, and they tested positive for cocaine. Investigators searched CS1 and  
18 his/her vehicle before and after the purchase, and found no contraband items. During the  
19 debriefing of CS1 after the controlled purchase, he/she informed agents that SUTER was  
20 not happy with the quality of the cocaine, and only wanted to sell one ounce.

21 ***SUTER Resupply #1***

22           19.     On June 26, 2018, SUTER asked CS1 to drive him to resupply in Tacoma,  
23 Washington. CS1 told agents SUTER was expecting to pick up 9 ounces of cocaine.  
24 Additionally, SUTER said he would introduce CS1 to his supplier, and they could discuss  
25 the possibility of acquiring fentanyl (China White). Agents directed CS1 to call SUTER  
26 and confirm he/she would be available to go. At approximately 6:05 p.m., SUTER  
27 informed CS1 he was ready, and told him/her to come and pick him (SUTER) up. Prior



1 to CS1's departure, agents searched CS1 and his/her vehicle for contraband, with nothing  
2 found.

3       20.     At approximately 6:15 p.m., surveillance units observed SUTER leave his  
4 apartment, with a white backpack, and enter CS1's vehicle. They followed CS1, with  
5 SUTER, from the apartment to the Emerald Queen Casino at 2024 East 29th Street,  
6 Tacoma, Washington, and then to a residence at 4668 Court Q, Tacoma, Washington.  
7 Agents observed SUTER and CS1 meet MOANALE on the porch, and sit down.  
8 According to CS1, SUTER started the conversation by telling MOANALE that he  
9 (SUTER) only had \$9,500 of the \$10,000, and would have to pay him the rest in a few  
10 days. CS1 has stated that SUTER always brings at least \$10,000 with him when  
11 resupplying, depending on the amount he (SUTER) is buying. SUTER also introduced  
12 CS1. MOANALE and CS1 discussed the possibility of buying fentanyl ("China White"),  
13 agreeing on a price of \$2,500 per ounce. MOANALE explained that he did not have the  
14 fentanyl on hand, and would have to get it. CS1 asked if it would be possible within the  
15 week, and MOANALE confirmed it would, but said CS1 would have to go through  
16 SUTER. The meeting concluded, and MOANALE informed SUTER he would have to  
17 come back later to pick up the cocaine.

18       21.     At approximately 10:00 p.m., agents observed CS1's vehicle return to 4668  
19 Court Q, Tacoma, Washington. CS1 and SUTER exited the vehicle, walked to the porch  
20 area, and made small talk with MOANALE. Shortly thereafter, a silver 2007 Chrysler  
21 Aspen, bearing Washington license BJE9723 (TV2), arrived at the residence with two  
22 unidentified male occupants. Washington DOL records indicate the registered owner of  
23 the vehicle is Yonn Chang at 752 South 88th Street, Tacoma, Washington. Agents  
24 conducted a search of any additional individuals connected to the 752 South 88th Street  
25 address in the Washington DOL database, and identified three names: Leon Som KHA,  
26 Vuthy UNG, and Ma Bun YOU. After later showing DOL photos of KHA, UNG, and  
27

1 YOU to CS1, he/she confirmed that KHA and UNG were the two males that arrived in  
2 TV2.

3 22. At approximately 10:10 p.m., agents observed KHA, UNG, SUTER, and  
4 CS1 leave, while MOANALE stayed at the residence. KHA, UNG, and SUTER got into  
5 TV2, while CS1 drove his/her vehicle. Surveillance teams followed both vehicles north  
6 to the Doubletree Hilton Hotel Seattle Airport at 18740 International Boulevard, Seattle,  
7 Washington. TV2 stopped next to a new Durango-style vehicle with two unidentified  
8 occupants inside. The passenger, an unidentified black male, exited and moved to TV2's  
9 passenger window. Moments later, the unidentified black male walked back to his  
10 vehicle and got in. All three vehicles exited the hotel, but split up a short time later. TV2  
11 and CS1's vehicle went west on 188th Street, while the Durango-style vehicle went east.

12 23. At approximately 11:40 p.m., agents observed TV2 and CS1's vehicle pull  
13 into the Westwood Village at 2600 Southwest Barton Street, Seattle, Washington. The  
14 vehicles moved alongside a blue 2014 Nissan Altima, bearing Washington license  
15 AXE5187, and parked. Surveillance units observed an unidentified Hispanic male in the  
16 passenger seat of the Altima exit the vehicle, walk to the backseat of TV2, walk back to  
17 the Altima, then back to TV2's backseat, before returning to the Altima. Shortly  
18 thereafter, the Altima, TV2, and CS1's vehicle departed the location. Later that evening,  
19 CS1 told agents that SUTER had successfully acquired 9 ounces of cocaine. Agents  
20 believe SUTER acquired the drugs from the unidentified Hispanic male in the Altima.

21 ***Surveillance of SUTER Resupply #2***

22 24. On July 10, 2018, surveillance units observed SUTER resupply in Seattle,  
23 Washington with his supplier (MOANALE). At approximately 5:45 p.m., WestNET  
24 detective Cory Manchester observed SUTER leave his apartment, enter a 2004 BMW,  
25 bearing Arizona license BVV2990, and depart the area. Surveillance units followed  
26 SUTER to 4668 Court Q, Tacoma, Washington, where he parked in front of the  
27 residence.

1           25.     At approximately 6:50 p.m., WestNET detective Jason Bowman observed  
2 TV2 arrive at 4668 Court Q. MOANALE, with an unidentified Polynesian female, exited  
3 the vehicle and walked into the residence. Shortly thereafter, SUTER exited the BMW,  
4 with a white backpack, and walked into the residence. Both SUTER and MOANALE  
5 came outside and sat on the porch after a few minutes.

6           26.     At approximately 7:30 p.m., Detective Bowman observed a 2002 bronze  
7 Cadillac arrive at 4668 Court Q. MOANALE walked to the vehicle and got in.  
8 Simultaneously, SUTER moved to the BMW and got in. Surveillance units observed  
9 both vehicles leave the residence and drive to the Mount Baker Rowing and Sailing  
10 Center at 3800 Lake Washington Boulevard, Seattle, Washington.

11           27.     At approximately 8:40 p.m., I observed MOANALE, Leon KHA, and Ma  
12 Bun YOU exit the Cadillac, walk to a 2018 Mercedes, and interact with an unidentified  
13 black male. Shortly thereafter, MOANALE walked to SUTER's vehicle and got into the  
14 front passenger seat. They sat inside SUTER's vehicle for approximately five minutes,  
15 and then got out. Agents believe MOANALE supplied SUTER with cocaine during that  
16 meeting. At approximately 9:00 p.m., SUTER got back into the BMW and departed the  
17 area. MOANALE, KHA, and YOU left approximately ten minutes later.

18 ***Overdoses at SUTER's Apartment***

19           28.     On August 17, 2018, at approximately 11:39 a.m., first responders received  
20 an emergency 9-1-1 call from SUTER, who stated that an unidentified female was  
21 unresponsive in his apartment. Paramedics responded to the scene and discovered the  
22 female dead, with three others in the apartment unconscious. Paramedics administered  
23 Naloxone to the surviving victims, and transported them to the hospital.

24           29.     At approximately 12:20 p.m., Poulsbo Police Department detectives arrived  
25 at the Hillsider 50 complex, Apartment 36, and spoke with SUTER, who was not advised  
26 of his *Miranda* rights at the time. SUTER admitted to removing items from the  
27 apartment prior to calling authorities, which he put in a backpack in his BMW's trunk.

1 Detectives read a consent to search card to SUTER for the BMW, and he agreed  
2 detectives could search the trunk. The subsequent search resulted in the seizure of a  
3 white backpack containing, among other items, a square-shaped dinner plate. The dinner  
4 plate later tested positive for methamphetamine, cocaine, and fentanyl. Detectives took  
5 SUTER to the Poulsbo police station for additional questioning. Prior to this interview,  
6 Poulsbo detective Lee Wheeler read SUTER his *Miranda* rights; SUTER acknowledged  
7 the advisement and continued talking. Additionally, detectives seized SUBJECT  
8 DEVICE 1 from SUTER's person and entered it into evidence.

9 30. The next day, August 18, 2018, at approximately 1:00 a.m., Poulsbo and  
10 WestNET detectives, with the assistance of Washington's National Guard Civil Support  
11 Team (CST), executed state search warrants on SUTER's apartment and vehicle.  
12 Detectives seized SUBJECT DEVICES 2, 5, and 6 from the apartment and entered them  
13 into evidence. Additionally, CST technicians performed testing on the handle of a  
14 security safe in SUTER's room; the test results came back positive for fentanyl. The  
15 search of SUTER's vehicle resulted in the seizure of suspected cocaine and a small  
16 portable scale.

17 31. On August 22, 2018, at approximately 1:30 p.m., Poulsbo detectives  
18 executed an additional search warrant at SUTER's apartment. They seized SUBJECT  
19 DEVICES 3 and 4 at that time and entered them into evidence.

#### 20 COMMON CHARACTERISTICS OF DRUG TRAFFICKERS

21 32. Based upon my training, experience, and participation in this and other  
22 investigations involving drug trafficking, my conversations with other experienced  
23 investigators, and interviews of individuals who have been involved in the trafficking of  
24 methamphetamine, heroin, oxycodone, and other drugs, I have learned and know the  
25 following.

1           33.     Drug traffickers use mobile electronic devices, including cellular  
2 telephones, to conduct their illegal trafficking business. As described below, such  
3 equipment often contains evidence of these illegal activities.

4           34.     Traffickers of controlled substances commonly maintain addresses,  
5 vehicles, or telephone numbers which reflect names, addresses, vehicles, and/or  
6 telephone numbers of their suppliers, customers, and associates in the trafficking  
7 organization, and it is common to find drug traffickers keeping records of said associates  
8 in cellular telephones and other electronic devices. Traffickers often maintain cellular  
9 telephones for ready access to their clientele and to maintain their ongoing narcotics  
10 business. Traffickers frequently change their cellular telephone numbers to avoid  
11 detection by law enforcement, and it is common for traffickers to use more than one  
12 cellular telephone at any one time.

13          35.     Drug traffickers use cellular telephones as a tool or instrumentality in  
14 committing their criminal activity. They use them to maintain contact with their  
15 suppliers, distributors, and customers. They prefer cellular telephones because, first, they  
16 can be purchased without the location and personal information that land lines require.  
17 Second, they can be easily carried to permit the user maximum flexibility in meeting  
18 associates, avoiding police surveillance, and traveling to obtain or distribute drugs.  
19 Third, they can be passed between members of a drug conspiracy to allow substitution  
20 when one member leaves the area temporarily. Since cellular phone use became  
21 widespread, every drug dealer I have interacted with has used one or more cellular  
22 telephones for his or her drug business. I also know that it is common for drug traffickers  
23 to retain in their possession phones that they previously used, but have discontinued  
24 actively using, for their drug trafficking business. Based on my training and experience,  
25 the data maintained in a cellular telephone used by a drug dealer is evidence of a crime or  
26 crimes. This includes the following:

- 1 a. The assigned number to the cellular telephone (known as the mobile  
2 directory number or MDN), and the identifying telephone serial number  
3 (Electronic Serial Number (ESN), Mobile Identification Number (MIN),  
4 International Mobile Subscriber Identity (IMSI) number, or International  
5 Mobile Equipment Identity (IMEI) number). These are important evidence  
6 because they reveal the service provider, allow agents to obtain subscriber  
7 information, and uniquely identify the telephone. This information can be  
8 used to obtain toll records, to identify contacts by the particular telephone  
9 with other cellular telephones used by co-conspirators, to identify other  
10 telephones used by the same subscriber or purchased as part of a package,  
11 and to confirm if the telephone was contacted by a cooperating source.
- 12 b. The stored list of recent received calls and sent calls. This is important  
13 evidence because it identifies telephones recently in contact with the  
14 telephone user. This is valuable information in a drug investigation  
15 because it will identify telephones used by other members of the  
16 organization, such as suppliers, distributors and customers, and it confirms  
17 the date and time of contacts. If the user is under surveillance, it identifies  
18 what number he called during or around the time of a surveilled drug  
19 transaction or meeting. Even if a contact involves a telephone user not part  
20 of the conspiracy, the information is helpful (and thus is evidence) because  
21 it leads to friends and associates of the user who can identify the user, help  
22 locate the user, and provide information about the user. Identifying a  
23 defendant's law-abiding friends is often just as useful as identifying his  
24 drug-trafficking associates.
- 25 c. Stored text messages. These are important evidence, similar to stored  
26 numbers. Agents can identify both drug associates, and friends of the user  
27  
28

1 who likely have helpful information about the user, his location, and his  
2 activities.

- 3 d. Photographs on a cellular telephone. These are important evidence because  
4 they help identify the user, either through his or her own picture, or through  
5 pictures of friends, family, and associates that can identify the user.

6 Pictures also identify associates likely to be members of the drug  
7 trafficking organization. Some drug traffickers photograph groups of  
8 associates, sometimes posing with weapons and showing identifiable gang  
9 signs. Also, digital photos often have embedded "geocode" information  
10 within them. Geocode information is typically the longitude and latitude  
11 where the photo was taken. Showing where the photo was taken can have  
12 evidentiary value. This location information is helpful because, for  
13 example, it can show where coconspirators meet, where they travel, and  
14 where assets might be located.


- 15 e. Stored address records. These are important evidence because they show  
16 the user's close associates and family members, and they contain names  
17 and nicknames connected to phone numbers that can be used to identify  
18 suspects.

19 36. Because drug traffickers in many instances will "front" (i.e., sell on  
20 consignment) controlled substances to their clients, or alternatively, will be "fronted"  
21 these items from their suppliers, such record keeping is necessary to keep track of  
22 amounts paid and owed, and such records will also be maintained close at hand so as to  
23 readily ascertain current balances. These records include "pay and owe" records to show  
24 balances due for drugs sold in the past (pay) and for payments expected (owe) as to the  
25 trafficker's suppliers and distributors, telephone and address listings of clients and  
26 suppliers, and records of drug proceeds. These records are commonly kept for an  
27 extended period of time. I know that although sometimes these records are kept in paper

1 form, some drug dealers also maintain these records in electronic form on their cellular  
2 phone and other electronic devices.

3 CONCLUSION

4 37. Based on the facts set forth in this Affidavit, I believe there is probable  
5 cause to believe that, contained within the SUBJECT DEVICES described in Attachment  
6 A, there exists evidence, fruits, and instrumentalities, as described in Attachment B, of  
7 violations of 21 U.S.C. §§ 841 and 846 (distribution, and possession with intent to  
8 distribute, of controlled substances, and conspiracy to do the same).

9  
10  
11   
12  
13 Steven Meyer,  
14 Special Agent  
15 Drug Enforcement Administration

16 Subscribed and sworn to before me this 27<sup>th</sup> day of August, 2018.

17   
18  
19 DAVID W. CHRISTEL  
20 UNITED STATES MAGISTRATE JUDGE  
21  
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### SUBJECT DEVICES to be Searched

- a) A black Apple iPhone 10 seized from Jackson SUTER at 200 Moe Street NE, Poulsbo, Washington on August 17, 2018;
- b) A white and gray Samsung Galaxy S8, seized from Apartment 36 in the Hillsider 50 Apartment Complex at 19630 Ash Crest Loop NE, Poulsbo, Washington, on August 18, 2018;
- c) A black Verizon Cosmos 2, seized from Apartment 36 in the Hillsider 50 Apartment Complex at 19630 Ash Crest Loop NE, Poulsbo, Washington, August 22, 2018;
- d) A black iPhone 8 Plus, seized from Apartment 36 in the Hillsider 50 Apartment Complex at 19630 Ash Crest Loop NE, Poulsbo, Washington, on August 22, 2018;
- e) A white and gray iPhone 6 Plus, seized from Apartment 36 in the Hillsider 50 Apartment Complex at 19630 Ash Crest Loop NE, Poulsbo, Washington, on August 18, 2018; and
- f) A black and gray iPhone 6 Plus, seized from Apartment 36 in the Hillsider 50 Apartment Complex at 19630 Ash Crest Loop NE, Poulsbo, Washington, on August 18, 2018.

**ATTACHMENT B**

**Items to be seized**

From the SUBJECT DEVICES described in Attachment A of this warrant, the government is authorized to search for and seize the following items, which are evidence and/or fruits of the commission of the following crimes: distribution and possession with intent to distribute controlled substances, in violation of Title 21, United States Code, Section 841(a)(1), and conspiracy to commit these offenses in violation of Title 21, United States Code, Section 846:

- Assigned telephone number and identifying serial number (e.g., ESN, MIN, IMSI, IMEI);
- Stored list of recent received, sent, or missed calls;
- Stored address records and stored contact information;
- Stored photographs of narcotics, currency, guns or other weapons, suspected criminal activity, and/or the user of the phone or co-conspirators;
- Stored text messages that relate to the above-enumerated federal crimes;
- Stored records, receipts, videos, notes, ledgers, and other documents relating to the distribution of controlled substances and communications between members of the conspiracy; and
- Latent prints.